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7 Attorney for Marcus Mattingly

8  
9 **UNITED STATES DISTRICT COURT**  
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 MARCUS MATTINGLY,

15 Defendant.

Case No. 2:21-cr-00230-APG-VCF

**STIPULATION TO CONTINUE  
SENTENCING HEARING**  
(Third Request)

16  
17 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson,  
18 United States Attorney, and Melanee Smith, Assistant United States Attorney, counsel for the  
19 United States of America, and Rene L. Valladares, Federal Public Defender, and Aden Kebede,  
20 Assistant Federal Public Defender, counsel for Marcus Mattingly, that the sentencing hearing  
21 currently scheduled for June 13, 2023, be vacated and continued to a date and time convenient  
22 to the Court, but no sooner than sixty (60) days.

23 This Stipulation is entered into for the following reasons:

24 1. Defense counsel has gathered several documents and certificates from the  
25 detention facility, but counsel needs to collect more records in support of sentencing mitigation  
26 and needs the additional time to obtain such records.

2. Defendant is incarcerated and does not object to a continuance.
3. The parties agree to the continuance.
4. Additionally, denial of this request for continuance could result in a miscarriage of justice. This is the third request to continue the sentencing hearing filed herein.

DATED this 1st day of June, 2023.

RENE L. VALLADARES  
Federal Public Defender

JASON M. FRIERSON  
United States Attorney

By /s/ Aden Kebede

ADEN KEBEDE  
Assistant Federal Public Defender

By /s/ Melanee Smith

MELANEE SMITH  
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 MARCUS MATTINGLY,

7 Defendant.  
8

Case No. 2:21-cr-00230-APG-VCF-1

ORDER

9 Based on the Stipulation of counsel and good cause appearing,  
10 IT IS THEREFORE ORDERED that the Sentencing Hearing currently scheduled on June  
11 13, 2023, at the hour of 10:30 a.m., be vacated and continued to August 16, 2023 at the hour  
12 of 1:30 p.m. in Courtroom 6C.  
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14 DATED this 2nd day of June, 2023.

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16 UNITED STATES DISTRICT JUDGE  
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